

CODE OF ETHICS  
FOR COMMISSIONERS AND EMPLOYEES  
OF THE NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

Adopted: February 14, 1984

Amended: July 20, 1988

Amended: June 20, 2002

Amended: January 18, 2005

I. Purpose

The New Jersey Legislature has recognized that it is essential that the conduct of public officials and employees hold the respect and confidence of the people. Public officials must therefore avoid conduct which is in violation of their public trust but must also avoid conduct which creates a justifiable question among the public as to such public trust.

The New Jersey Election Law Enforcement Commission is charged with the administration and enforcement of the provisions, among others, of laws providing for public disclosure of campaign contributions and expenditures, and providing for public financing of the elections for the office of Governor. It is important that the work of the Commissioners and of the staff of the Commission be, and be publicly perceived to be, free from partisan influence and from conflicts of interests.

II. Statutory Authority

The statutory authority for this code of ethics is the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12, and following.

III. Definitions

As used in this code of ethics, and unless a different meaning clearly appears from the context, the following terms shall have the following meanings:

- A. "Commission" means the New Jersey Election Law Enforcement Commission.
- B. "Commissioner" means a member of the New Jersey Election Law Enforcement Commission, and includes the Chairman and Vice-chairman.
- C. "Employee" means any person holding employment by the Commission and includes the Executive Director, the Assistant Executive Director, all employees in the classified civil service, and employees in the unclassified civil service, and all consultants to the Commission, whether or not they are technically employees of the State of New Jersey.

#### IV. Employment Restrictions

1. No Commissioner or Commission employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.
2. No Commissioner or Commission employee shall engage in any particular business, profession, trade or occupation, which is subject to regulation by the Commission.
3. No Commissioner or Commission employee shall use or attempt to use his or her official position, or any information not generally available to members of the public which he or she receives or acquires in the course of or by reason of his official duties, to secure unwarranted privileges or advantages for himself, herself or others.
4. No Commissioner or Commission employee shall act in his or her official capacity in any manner wherein he or she has a direct or indirect personal financial interest that might reasonably be expected to impair his or her objectivity and independence of judgment in the exercise of his or her official duties.
5. No Commissioner or Commission employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his or her objectivity and independence of judgment in the exercise of his or her official duties.
6. No Commissioner or Commission employee shall accept from any person, whether directly or indirectly and whether by himself or through his spouse or any member of his family or through any partner or associate, any gift, favor, service, employment or offer of employment or any other thing of value which he knows or has reason to believe is offered to him with intent to influence him in the performance of his public duties and responsibilities.
7. No Commissioner or Commission employee shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his or her acts that he or she may be engaged in conduct violative of his or her trust as an officer or employee.
8. No Commissioner or Commission employee shall have any interest, direct or indirect, in any political activity subject to review by the Commission during his or her term of office or employment, including but not limited to:
  - a) acting as a leader or holding any office in a political organization;
  - b) making speeches for a political organization or candidate or publicly endorsing a candidate for public office;

- c) attending political functions or functions which are likely to be reasonably considered to be partisan in nature;
  - d) soliciting funds for or paying an assessment or making a contribution to a political organization or candidate, or purchasing tickets for political party dinners, or other functions except that Commission members may make contributions to candidates for federal office, to a committee authorized by a federal candidate to receive contributions on behalf of that candidate or to a national political party committee. Members must expressly request in writing that the funds which they contribute should only be used directly for federal election expenses of the donee federal candidate or committee;
  - e) allowing the use of the home by the spouse of the Commissioner or employee for political meetings, or allowing the use of joint assets for political contributions by the spouse of the Commissioner or employee. A political contribution made by the spouse of a Commission member or employee (in both categories, hereinafter, "spouse") shall be permitted under this Code of Ethics provided that the funds used to make such a contribution are derived wholly from private and separate assets of the spouse, i.e., assets which originated under his/her exclusive rights of contract, inheritance, employment, etc., which were at no time commingled with the respective Commission member's or employee's assets. These spousal contributions shall not have been derived from, or controlled or owned in whole or in part by the respective Commission member or employee at any time. Upon request, the contributing spouse must be able to satisfactorily demonstrate (to uninterested ELEC members and staff and others), that the financial contribution was never derived from any assets held jointly with or in its entirety by the respective Commission member or employee.
9. No Commissioner or Commission employee shall act in an official capacity in any matter (during his or her term of office or employment) wherein such Commissioner's or Commission employee's spouse, child, parent or sibling has a financial or employment interest, direct or indirect, in such political activity, that might reasonably be expected to impair the objectivity or independence of judgment of such Commissioner or Commission employee.
10. No Commissioner or employee shall appear before any public body in connection with any matter which has any reasonable likelihood of coming before the Commission, except in the performance of his or her official duties as Commissioner or employee of the Commission.
11. The Executive Director, Deputy Executive Director, Legal Director, and Compliance Director are prohibited from having any personal contractual or business relationship with another officer or employee or member of the Commission.

- V. Any Commissioner or Commission employee who engages in any particular business, profession, trade or occupation, which is subject to licensing or regulation by a specific agency of State government, must file notice of that activity with the Executive Commission on Ethical Standards. In addition, pursuant to N.J.A.C. 19:61-2.2(a), all ELEC employees and Commissioners shall annually disclose outside employment and/or business interests.
- VI. All employees and Commissioners are subject to the provisions in N.J.A.C 19:61-6.4 as they relate to travel reimbursements from outside sources.

The rules and regulations set forth above are intended to be supplementary to all standards provided in the New Jersey Conflicts of Interest Law, N.J.S.A. 52:13D-12 et seq, and are not to be construed as being in derogation thereof. N.J.A.C. 19:61-1.1 et seq., contains standards that apply to state officers and employees.